IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH
&
THE HONOURABLE MR. JUSTICE K.T.SANKARAN

MONDAY, THE 6TH AUGUST 2007 / 15TH SRAVANA 1929

RP.No. 1012 of 2006()

AGAINST THE ORDER IN I.A.NO.1849/2006 IN AS.696/1998 Dated 01/09/2006
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PETITIONER IN RP

P.T.MATHEW, AGED 64 YEARS,
S/O.THOMAS, PLATHOTTATHIL HOUSE,
POONJAR, THEKKEKARA VILLAGE, KOTTAYAM DISTRICT.

BY ADV. SRI.K.JAGADEESCHANDRAN NAIR

RESPONDENTS:
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1. STATE OF KERALA, REPRESENTED BY THE CHIEF SECRETARY TO GOVT. OF KERALA, THIRUVANANTHAPURAM.

2. THE SECRETARY (EXCISE), BOARD OF REVENUE, THIRUVANANTHAPURAM.

3. THE ASSISTANT EXCISE COMMISSIONER, IDUKKI DISTRICT, THODUPUZHA.

4. THE EXCISE INSPECTOR, EXCISE RANGE OFFICE, DEVIKULAM, MARAYOOR.

5. TOMY, S/O.THOMAS, PLATHOTTATHIL HOUSE, POONJAR, THEKKEKARA VILLAGE, KOTTAYAM DISTRICT (THIS RESPONDENT IS THE 2ND PETITIONER IN THE I.A.NO.1849/06. BUT HE IS NOT JOINING AS A PETITIONER IN THE REVIEW PETITION AND IS HEREIN IMPLEADING AS 5TH RESPONDENT).

BY GOVERNMENT PLEADER SMT.K.R.DEEPA

THIS REVIEW PETITION HAVING BEEN FINALLY HEARD ON 06/08/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

KURIAN JOSEPH & K.T.SANKARAN,JJ.

R.P.No.1012 of 2006 in
I.A.No.1849/2006 in A.S.No.696 of 1998

Dated this the 6th day of August, 2007

O R D E R

Kurian Joseph,J.

The only apprehension of the learned counsel appearing for the review petitioner is that in view of the order dated 1-9-2006 whereby we vacated the interim order originally granted by this court on 28-8-2006, it may not be possible for the parties to move the court for appropriate interim orders. We do not find any justification for such an apprehension. We only vacated the interim order originally granted in I.A.No.2840/2004. That order by itself will not stand in the way of the parties moving for appropriate other interim orders.

Subject to the above clarification the review petition is dismissed. Post the appeal in the second week of September, 2007.

(KURIAN JOSEPH, JUDGE)

(K.T.SANKARAN, JUDGE)

ahg.